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LB 754

issued is going to be involved in this and so we need to look at the broad prospect of the problem of this, because we're looking at any type of special permit that's being issued, much, much larger than agriculture. And so we really need to look at this and look at this hard and strong before we decide to make a decision to pass this amendment. Thank you.

SENATOR CUDABACK: Thank you, Senator McDonald. Senator Erdman, on AM1577.

SENATOR ERDMAN: Thank you, Mr. President and members of the Legislature. First of all, let me rise in appreciation to those who have worked on this bill, both those who are staff here and senators, as well as those from the groups that are concerned and interested in the direction of the underlying idea. I think there has been a lot of work. Obviously, not everybody is going to agree, regardless of what's put out here, but I think we are proceeding in a cautious manner. I think we're proceeding in a manner that has been alluded to today as a best practices approach. Senator McDonald did mention Hamilton County, and we have received a lot of information, a lot of effort from the zoning administrator out of there. I think she's done an exceptional job in Hamilton County and, in all honesty, I think if 93 counties were as effective as they were we probably wouldn't even be discussing that. So why is that important to this discussion? Well, as we have looked at the bill and as we have had conversations with the zoning administrator there, we believe that their process is laid out in AM1577 and then, in turn, the underlying bill dealing with the final determination side of things as far as how applications are carried through Hamilton County and how they are approved or denied, and some of the contingencies that rely upon that. This is what I understand their process to be. Hamilton County considers applications before the DEQ permit is issued. It issues a conditional permit, subject to the DEQ permit. After the producer receives the DEQ permit and provides a copy to the county, the conditional use permit becomes effective. In effect, this is exactly what the process of the final determination provisions are under this bill. So absolutely, Senator McDonald, what Hamilton County and some of the others are doing is what we're trying to convince other counties to do.